

AMENDED IN ASSEMBLY MARCH 26, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 931

Introduced by Assembly Member Fletcher

February 26, 2009

An act to amend Section 1261.5 of the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 931, as amended, Fletcher. Emergency supplies.

Existing law provides for the licensing and regulation by the State Department of Public Health of health facilities, including, but not limited to, skilled nursing facilities and intermediate care facilities.

Existing Pharmacy Law provides for the licensing and regulation of the practice of pharmacy under the jurisdiction of the California State Board of Pharmacy and establishes requirements for the dispensing of drugs.

Existing law authorizes a pharmacy to furnish dangerous drugs or devices to a licensed health facility for storage in a secure emergency pharmaceutical supplies container that is maintained within the facility under regulations of the department. Existing law *limits the number of oral dosage form and suppository dosage form drugs for storage within this container to 24. It also* authorizes the department to limit the number of doses of each drug available to a skilled nursing facility or intermediate care facility to not more than 4 doses of any separate drug dosage form in each emergency supply.

This bill would increase the ~~authorized amount in an emergency supply to 6 doses~~ storage container limit to 48.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1261.5 of the Health and Safety Code is
2 amended to read:
3 1261.5. (a) The number of oral dosage form or suppository
4 form drugs provided by a pharmacy to a health facility licensed
5 pursuant to subdivision (c) or (d), or both (c) and (d), of Section
6 1250 for storage in a secured emergency supplies container,
7 pursuant to Section 4119 of the Business and Professions Code,
8 shall be limited to ~~24~~ 48. The State Department of Public Health
9 may limit the number of doses of each drug available to not more
10 than ~~six~~ four doses of any separate drug dosage form in ~~an~~ each
11 emergency supply.
12 (b) Any limitations established pursuant to subdivision (a) on
13 the number and quantity of oral dosage or suppository form drugs
14 provided by a pharmacy to a health facility licensed pursuant to
15 subdivision (c), (d), or both (c) and (d), of Section 1250 for storage
16 in a secured emergency supplies container shall not apply to an
17 automated drug delivery system, as defined in Section 1261.6,
18 when a pharmacist controls access to the drugs.

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